

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MIKE HOWARD	:	CIVIL ACTION
	:	
v.	:	
	:	
ROBERT GILMORE, et al.	:	NO. 15-4923

ORDER

AND NOW, this 13th day of June, 2016, upon consideration of Mike Howard's pro se petition for writ of habeas corpus, Chief Magistrate Judge Linda K. Caracappa's Report and Recommendation in this matter,<sup>1</sup> it is hereby ORDERED that:

1. Chief Magistrate Judge Caracappa's Report and Recommendation is APPROVED and ADOPTED;
2. Howard's petition for writ of habeas corpus is DISMISSED WITH PREJUDICE;
3. We DECLINE to issue a certificate of appealability;<sup>2</sup> and
4. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

  
Stewart Dalzell, J.

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<sup>1</sup> Howard failed to timely file objections to the Report and Recommendation pursuant to Local Rule 72.1 IV (b).

<sup>2</sup> A certificate of appealability should issue only when reasonable jurists could disagree with our ruling, see Slack v. McDaniel, 529 U.S. 473, 484 (2000), and that is not the case here.